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ATTORNEY DOCKET NO. 10020766-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Douglas M. BANEY

Serial No.: 10/616,090

Examiner: Chiem, D. D.

Filing Date: July 8, 2003

Group Art Unit: 2883

Title: AN OPTICAL WAVE-GUIDE MICROSTRUCTURED ENVIRONMENT ABSORPTION CELL

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☒ No additional fee (Address envelope to "Mail Stop Amendments")  
☐ Other: (Fee \$\_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	10	MINUS	49	= 0	X 50	\$ 0
INDEP. CLAIMS	2	MINUS	6	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 <sup>ST</sup> MONTH 120.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 450.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 1020.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1590.00 <input type="checkbox"/>		\$ 0
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Douglas M. BANEY

By

John P. Wagner, Jr.  
Attorney/Agent for Applicant(s)

Reg. No. 35,398

Date: 03/25/05

Telephone No. (408) 938-9060

I hereby certify that this correspondence is being Deposited with the United States Postal Service as First class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 03/25/05

Typed Name: Desiree Ortiz

Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BANEY

Serial No.: 10/616,090

Filed: July 8, 2003

For: AN OPTICAL WAVE-GUIDE  
MICROSTRUCTURED  
ENVIRONMENT ABSORPTION  
CELL

Examiner: Chiem, Dinh D.

Art Unit: 2883

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Office Action mailed February 25, 2005, please consider the following remarks.

AGLT-10020766-1/JPW/MJB  
Examiner: Chiem, Dinh D.

Serial No.: 10/616,090  
Group Art Unit: 2883

## RESPONSE TO RESTRICTION REQUIREMENT


In the Office Action mailed February 25, 2005, the Examiner states that the present Application contains two patentably distinct inventions. The Examiner is requiring the Applicant to elect a single disclosed invention for examination. Specifically, the Examiner is requiring the Applicant to elect between a first invention, Invention I, recited in Claims 1-10; Invention II, recited in Claims 11-36 [sic]; and Invention III, recited in Claims 38-49. For purposes of the present response, Applicant assumes that Invention II is also recited in Claim 37, which depends from Claim 24.

Applicant elects without traverse Invention I, recited in Claims 1-10.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,  
WAGNER, MURABITO & HAO LLP

Date: 2/25/05

  
\_\_\_\_\_  
John P. Wagner, Jr.  
Reg. No. 35,398

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